

REMARKS/ARGUMENTS

Claim Status

Claims 1, 2, 7, 9, 12-21, 23-25, 31 and 32 are pending. Claims 3-6, 8, 10, 11, 22 and 26-30 are canceled without prejudice. Claims 7, 9, 12-21 and 23-25 are withdrawn. Claims 1, 7, 9, 12-15, 17, 21, 24 and 25 are currently amended. Claim 1 is amended such that the wax composition “consisting essentially of” is now recited as the wax composition “consisting of.” Withdrawn claims 7, 9, 12-15, 17, 21, 24 and 25 are directly or indirectly dependent from claim 1 and are amended to correspond to the amendments to claim 1 made during prosecution. No new matter has been entered.

§103 (a) Rejections

Claims 1, 2, 31 and 32 have been rejected as obvious in view of the combination of *Manson* (US 2,413,239), *Young* (US 2,595,911), *Zemaitis* (US 2,375,162) and *Hershberger* (US 2,159,152), and as evidenced by *Ciullo* (Rubber Formulary) for claim 32. Applicants respectfully traverse these rejections.

As noted above, claim 1 is amended such that the wax composition “consisting essentially of” is now recited as the wax composition “consisting of” a microcrystalline wax and a component to be mixed with the wax (i.e., natural rubber or polyisoprene rubber). Furthermore, the wax composition of claim 1 recites that 15-30% of the wax composition is the component to be mixed with the wax (i.e., natural rubber or polyisoprene rubber), and the wax composition obtained comprises no more than 3 ppm of solvent.

In contrast, *Manson* discloses a wax composition consisting essentially of a non-microcrystalline wax, natural rubber and polyvinyl ester resin (see col. 1, lines 8-16 and col. 2, lines 48-55). Also in contrast to the claimed invention, *Young* discloses compositions that have an additional essential component other than wax and rubber, namely a “copolymer

plastic” (see col. 1, lines 1-14). Moreover, *Zemaitis* differs from the claimed invention in that the reference discloses compositions comprising wax, rubber and a polyvalent metal soap (see response filed September 30, 2008, and Office Action dated November 26, 2008 withdrawing rejection over *Zemaitis* alone). Lastly, also contrary to the claimed invention, *Hershberger* discloses compositions comprising non-microcrystalline wax, less than 10% rubber and 25-50 mass% solvent (see response filed February 25, 2009 (entered March 26, 2009 via RCE), and Office Action dated April 30, 2009 withdrawing rejection over *Hershberger* alone).

Accordingly, none of the cited references, alone or in combination, disclose or suggest the claimed process of producing a wax composition consisting of a microcrystalline wax and a component to be mixed with the wax, comprising mixing the wax and the component to be mixed with the wax by applying an external force at a temperature lower than the melting completion temperature of the wax, wherein the wax composition comprises 15% to 30% of the component to be mixed with the wax, the component to be mixed with the wax is natural rubber or polyisoprene rubber, and the wax composition obtained comprises no more than 3 ppm of solvent.

As such, the combination of *Manson*, *Young*, *Zemaitis* and *Hershberger* does not render obvious the claimed invention. Thus, Applicants request withdrawal of these obviousness rejections.

Request for Rejoinder

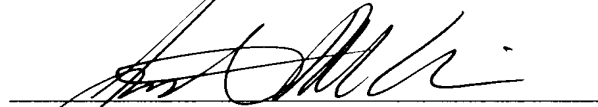
Upon making a determination of allowable subject matter (i.e., claim 1), the Office is requested to rejoin and allow the withdrawn claims as well. Withdrawn claims 7, 9, 12-21 and 23-25 depend from (directly or indirectly) or otherwise include all of the limitations of claim 1, and should therefore be rejoined and allowed pursuant to M.P.E.P. § 821.04.

Conclusion

For the reasons discussed above, Applicants submit that all now-pending claims are in condition for allowance. Applicants respectfully request the withdrawal of the rejections and passage of this case to issue.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.
Norman F. Oblon



Justine M. Wilbur
Attorney of Record
Registration No. 59,678

Customer Number

22850

Tel: (703) 413-3000
Fax: (703) 413 -2220
(OSMMN 08/07)